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**FILED**  
JANUARY 2, 2007  
**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS

IN THE MATTER OF THE LICENSE OF :

DEBBIE L. MILLER, D. O. :

TO PRACTICE MEDICINE IN THE :  
STATE OF NEW JERSEY :

Administrative Action

**CONSENT ORDER OF  
OF LICENSURE**

This matter was most recently opened to the State Board of Medical Examiners (Board) upon receipt of a request from Debbie L. Miller, D.O. (Respondent) seeking to reinstate her medical license which was surrendered by way of a Consent Order dated February 13, 2002. Respondent entered into a Consent Order of Voluntary Surrender of Licensure (Consent Order) on February 13, 2002, after the Board received information from the Physicians' Health Program of the Medical Society of New Jersey (PHP - now the PAPNJ) that Respondent had admitted a relapse into the abuse of controlled dangerous substances. Records reveal that Respondent has a lengthy history of intermittent and recurrent chemical dependency. She has been a participant with the PHP since 1996. Prior to the 2002 Consent Order, Respondent had voluntarily surrendered her license once before in 1997, after suffering a relapse into abuse of Loricet. Respondent was subsequently

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reinstated in full by the Board, after spending an extended period of time in in-patient treatment. In accordance with the 2002 Consent Order, Respondent agreed to cease practicing medicine and enter in-patient treatment at the Marworth Treatment Center in Pennsylvania. The Consent Order required Respondent to immediately surrender her license to practice medicine; return her original license and CDS registration to the Board; and advise the DEA of the Consent Order. Further, the Consent Order stated that prior to any restoration of her license, Respondent shall appear before a Committee of the Board to determine her readiness to re-enter the practice of medicine; provide the Board with evidence that she is capable of discharging the functions of a licensee and that she is not suffering from any impairment or limitation resulting from the use of alcohol or any drug which could affect her practice; that she has not been a habitual user of intoxicants and has not engaged in professional misconduct; provide the Board with reports from each and every mental health professional who has participated in Respondent's treatment during the period of time from her entry into treatment to her appearance; provide the Board with a report from the Professional Assistance Program of New Jersey (PAPNJ) detailing the nature and extent of her involvement with that entity; affirmatively establish her fitness, competence and capacity to re enter the active practice of medicine; and provide the Board with a full account of her conduct during the intervening period of time from her entry into treatment to her appearance.

Respondent and Dr. Edward Reading of the PAPNJ appeared before a Committee of the Board on June 21, 2006. Respondent testified that she is now, and has been drug free for over four years. She stated that after her voluntary surrender of her license in 2002 she received in-patient treatment for approximately <sup>3</sup>~~16~~ months at Marworth in Waverly, PA. Respondent further testified that after she successfully completed her treatment at Marworth, she entered into a long-term treatment plan at Alina Lodge in Blairstown, NJ and stayed there from April 22, 2002 through

*3* *essentially 3 months* *JP, DAG*  
*S.H.P*

approximately July 2003. After Respondent was discharged from Alina Lodge she stayed on to work as a facilitator from 2004 through 2005. Thereafter in November 2005, she was hired at a non-profit methadone clinic (Addiction Medicine and Health Advocates, Inc. - AMHA) as a non-physician counselor.

Dr. Reading of the PAPNJ testified that Respondent is in over four and a half years in continuous recovery, she successfully completed her individual therapy in 2005, and recommends the reinstatement of her medical license in New Jersey with the following provisions: 1) Absolute abstinence from all psychoactive substances, including alcohol, unless prescribed by a treating physician for a documented medical condition with prior notification provided to the Executive Director of the Professional Assistance Program; 2) Regular attendance at the support group of AA at a minimum of three meetings per week; 3) Random urine monitoring with specimens collected twice a month for the first year of licensure. Subsequent reductions to be at the direction of the Executive Medical Director with prior notification submitted to the State Board of Medical Examiners; 4) Face-to-face followup with a clinical representative of the PAP on a quarterly basis; 5) Continued involvement with a psychiatrist at a frequency to determined by the psychiatrist, until such time as Doctor Miller's treating psychiatrist, in consultation with the Executive Medical Director of the Professional Assistance Program, agree that it is no longer required; 6) Ongoing therapy with a psychologist, as directed by the Professional Assistance Program until such time as the therapist and the Executive Medical Director of the Professional Assistance Program deems it is no longer required; 7) Dr. Miller is not to practice medicine in the State of New Jersey unless approved by the State Board of Medical Examiners; and 8) Quarterly status reports from the Professional Assistance Program to the State Board of Medical Examiners on Doctor Miller's

compliance with the monitoring mandates with immediate notification to the Board of any evidence whatsoever of non-compliance or relapse.

Respondent now seeks leave to reinstate her license to practice medicine and surgery in the State of New Jersey. The Board finding that Respondent has been in recovery for a reasonable period of time, is fit to practice medicine and that the Board finds the within disposition is adequately protective of the public health, safety and welfare,

IT IS THEREFORE on this 26<sup>th</sup> day of December, 2006

ORDERED:

1. Debbie Lane Miller, D.O. is hereby granted a license to practice medicine in New Jersey on the following terms and conditions:

A) Prior to beginning any active practice of medicine in New Jersey, Respondent shall appear before a Committee of the Board to discuss her plan of practice in New Jersey and at that time the Board may impose conditions on her practice which in the Board's sole discretion it determines are appropriate.

B) Respondent shall maintain absolute abstinence from alcohol, all C.D.S. and potentially addictive substances, except as duly prescribed by a treating health care practitioner. Respondent shall advise all of her treating health care practitioners, who prescribe medications, of her addiction history. Respondent shall report any such use to the Board in writing within five (5) days of receiving such a prescription together with the name of the prescribing physician/dentist/advanced practice nurse or other authorized prescriber and the reason for its use.

C) Respondent shall attend the support group meetings of AA/NA at a minimum of three meetings per week.

D) Respondent shall undergo random witnessed urine monitoring for C.D.S. and alcohol a minimum of two times a month for a minimum of one year. Subsequent reductions in urine monitoring are to be at the discretion of the Executive Medical Director of the PAPNJ with prior notification submitted to the State Board of Medical Examiners.

E) The Board reserves the right to require a modification of the manner of the random witnessed urine testing by the PAPNJ in the event technical developments or individual requirements indicate that a different methodology or approach is required to guarantee the accuracy and reliability of the testing.

F) Respondent's failure to submit to or provide a urine sample when requested shall be deemed to be the equivalent of a confirmed positive urine test and shall be deemed a violation of this order unless Respondent is unable to appear for a scheduled urine test due to illness or other impossibility. Respondent must advise the Board in writing within two (2) days, and cause the PAPNJ to so advise the Board in writing within (2) days, of a claimed illness or impossibility. If Respondent fails to appear for a scheduled urine test due to illness, Respondent shall provide to the Board, written substantiation of the illness in the form of a physician's report, within two (2) days. "Impossibility" means an obstacle beyond the control of Respondent that is insurmountable or that makes her appearance for the urine test so infeasible that a reasonable person would waive Respondent's requirement to give the urine sample that day.

G) All random witnessed alcohol and drug screens shall be negative for the presence of alcohol or drugs, unless the drugs detected by screening were taken for a documented illness pursuant to a valid prescription from a health care practitioner aware of Respondent's substance abuse history. All positive results shall be confirmed by the Gas Chromatography Mass Spectrometer (GC/MS) testing method. Chain of custody documentation must accompany all

laboratory reports and/or the laboratory reports must indicate that chain of custody procedures have been followed.

H) Any urine test result showing creatinine levels below 20 mg/dl and a specific gravity below 1.003 shall create a rebuttable presumption of a confirmed positive urine test, and shall be followed by a confirming test. The method of the confirming test shall be determined by the PAPNJ.

I) Respondent shall become familiar with all foods, food additives or other products (such as poppy seeds) which may affect the validity of urine screenings, be presumed to possess that knowledge, and shall refrain from the use of such substances. Respondent specifically agrees that ingestion of such substances shall not be an acceptable reason for a positive urine screen and/or failure to comply with the urine monitoring program.

J) Respondent shall be responsible to ensure that the PAPNJ shall supply reports every ninety (90) days beginning on the "filed" date of this Order to the Board regarding her progress with the monitoring program.

K) Respondent shall obtain the agreement of the PAPNJ via a signature of its representative on this Order to notify the Board within 24 hours of its receipt of information of any slip or relapse of impairment, including but not limited to any positive urine screen or failure to appear for urine monitoring or any scheduled appointment or any discontinuance of the PAPNJ rehabilitation program whether initiated by Respondent or by the PAPNJ.

L) Respondent shall attend regular face-to-face meetings with a staff member of the PAPNJ on a quarterly basis. If Respondent remains in successful documented recovery, her face-to-face meetings shall continue at a frequency commensurate with her documented duration in recovery as determined by the Executive Medical Director of the PAPNJ.

M) Respondent expressly waives any claim to privilege or confidentiality that she may have concerning reports and disclosures to the Board, and use by the Board of that information in any license proceedings, including reports and disclosures by the urine monitoring program, or the PAPNJ, or any other person or entity involved in the rehabilitation program.

N) All costs associated with the monitoring outlined above shall be the responsibility of, and paid directly by, Debbie Lane Miller, D.O.

O) Respondent shall successfully complete eighty (80) live category I continuing medical education credits in the field of psychiatry and/or addiction medicine, which are pre-approved by the Board, within two (2) years of the filing date of this Order.

2. Respondent shall be under the care and treatment of a Board approved psychiatrist with addiction expertise, who will monitor and manage any prescribed medications Respondent takes, at a frequency to be determined by the psychiatrist. Respondent shall be under the care and treatment of a psychiatrist until such time as the psychiatrist and the PAPNJ recommend discontinuance to the Board and the Board approves such discontinuance. Respondent shall provide her psychiatrist with a copy of this Order and shall cause her psychiatrist to acknowledge in writing that he/she has received a copy of this Order. Respondent authorizes her psychiatrist to notify the Board immediately upon receipt of any information that Respondent has ingested any C.D.S. alcohol or potentially addictive substances, other than those duly prescribed for her. Respondent shall provide the appropriate releases to her psychiatrist to fulfill the requirements of this Order.

3. Respondent shall engage in psychotherapy with a Board approved psychiatrist or psychologist with addiction expertise at a frequency to be determined by the psychotherapist. Respondent shall undergo psychotherapy until such time as the psychotherapist and the PAPNJ recommend discontinuance to the Board and the Board approves such discontinuance. Respondent

shall provide her psychotherapist with a copy of this Order and shall cause her psychotherapist to acknowledge in writing that he/she has received a copy of this Order. Respondent hereby authorizes, and shall cause her psychotherapist to provide a written report to the Board every ninety (90) days, continuing for a minimum of one year, stating the nature of her progress in therapy and in refraining from the use of C.D.S., alcohol, and potentially addictive substances. Respondent further authorizes her psychotherapist to notify the Board immediately upon receipt of any information that Respondent has ingested any C.D.S., alcohol or potentially addictive substances, other than those duly prescribed for her. Respondent shall provide the appropriate releases to her psychotherapist to fulfill the requirements of this Order.

4. Respondent hereby consents to the entry of an Order of automatic suspension of license without notice, upon the Board's receipt of any information which the Board in its sole discretion deems reliable that Debbie Lane Miller, D.O. has failed to comply with any of the conditions set forth above, any other provision of this Order, or any report of a confirmed positive urine, or a prima facie showing of a relapse or recurrence of illegal drugs and/or the use of alcohol or controlled substances.

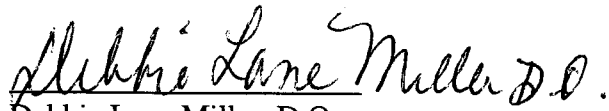
5. Respondent shall have the right to apply for removal of the automatic suspension on five (5) days notice but in such event shall be limited to a showing that the urine tested was not hers or was a false positive in the case of urine testing, or that other information submitted was false.

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS


By: Sindy Paul, MD  
Sindy Paul, M.D., Board President



I have read and understood  
the above Order and agree to  
be bound by its terms. I hereby  
consent to the entry of this Order:

  
Debbie Lane Miller, D.O.

I have read and understand the  
within Order and agree to comply  
with the terms which relate to the  
Professional Assistance Program of  
New Jersey (PAPNJ).

  
Professional Assistance Program  
of New Jersey